

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Criminal No. 18-068 (FAB)

ANTHONY JAHEL ABREU-MATOS [4],
LUIS ÁNGEL RAMOS-CORDERO [5],
JUAN TAPIA-SOTO [6],

Defendants.

MEMORANDUM AND ORDER

BESOSA, District Judge.

A district court may refer a pending motion to a magistrate judge for a report and recommendation. See 28 U.S.C. § 636(b)(1)(B); Fed. R. Civ. P. 72(a); Loc. Rule 72(b). Any party adversely affected by the report and recommendation may file written objections within fourteen days of being served with the magistrate judge's report. Loc. Rule 72(d). See 28 U.S.C. § 636(b)(1). A party that files a timely objection is entitled to a *de novo* determination of "those portions of the report or specified proposed findings or recommendations to which specific objection is made." Ramos-Echevarría v. Pichis, Inc., 698 F. Supp. 2d. 262, 264 (D.P.R. 2010) (Domínguez, J.). Failure to comply with this rule precludes further review. See Davet v. Maccorone, 973 F.2d 22, 30-31 (1st Cir. 1992). In conducting its review, the

Court is free to "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636 (a)(b)(1); Templeman v. Chris Craft Corp., 770 F.2d 245, 247 (1st Cir. 1985); Álamo Rodríguez v. Pfizer Pharmaceuticals, Inc., 286 F. Supp. 2d 144, 146 (D.P.R. 2003) (Domínguez, J.). Furthermore, the Court may accept those parts of the report and recommendation to which the parties do not object. See Hernández-Mejías v. General Elec., 428 F. Supp. 2d 4, 6 (D.P.R. 2005) (Fusté, J.) (citing Lacedra v. Donald W. Wyatt Detention Facility, 334 F. Supp. 2d 114, 125-126 (D.R.I. 2004)).

On May 10, 2019 the United States magistrate judge issued a thorough and well-supported Report and Recommendation ("R & R"). (Docket No. 185.) The magistrate judge recommends that the Court deny defendants Anthony Jael Abreu-Matos ("Abreu"), Luis Ángel Ramos-Cordero ("Ramos"), and Juan Tapia-Soto ("Tapia")'s motion to dismiss the indictment pursuant to Federal Rule of Criminal Procedure 8(a). Id. at p. 3. The parties had until May 24, 2019 to object to the R & R. Neither the United States nor the defendants objected to the R & R.

The Court has made an independent examination of the entire record in this case and **ADOPTS** the magistrate judge's findings and recommendations.

Accordingly, Abreu, Ramos and Tapia's motion to dismiss is
DENIED. (Docket No. 159.)

IT IS SO ORDERED.

San Juan, Puerto Rico, May 31, 2019.

s/ Francisco A. Besosa
FRANCISCO A. BESOSA
UNITED STATES DISTRICT JUDGE